

20 August 1968

MEMORANDUM FOR THE RECORD

SUBJECT: H.R. 15789 - Authorizing Multi-Year Contracts For Services and Related Supplies

1. H.R. 15789 was part of DOD's legislative program for the 90th Congress. As enacted into law it provides authority to DOD to contract for certain services and items of supplies related to such services for periods up to five years. The multi-year contract in these areas is designed to increase effective competition. As finally enacted its application is limited to contracts to be performed outside the forty-eight contiguous states and D.C. The original proposal carried no geographical limitation.

2. H.R. 15789 was approved by the President on 5 July 1968 as P.L. 90-378.

3. Office of Legislative Counsel action:

a. H.R. 15789 was ordered for distribution to OGC, DD/S&T, Office of Logistics, (collaterally the Office of DD/S).

b. House Report 1315 (24 April 1968) was sent to OGC, OPPB, DD/S&T, and Office of Logistics with the following note from OLC: "Will this authority be available to the Agency as the bill stands?"

c. The Act form (7 May 1968) was distributed as under (a) above.

d. Senate Report (24 July 1968) was likewise distributed to OGC, DD/S&T, Office of Logistics.

4. P.L. 90-378 is an amendment to the procurement chapter of title 10 "Armed Forces." That chapter by its terms applies to the Department of Army, Navy, Air Force, the Coast Guard, and NASA. It does not by its terms apply to CIA, however, section 3 of P.L. 81-110 authorizes CIA to exercise specified authorities of the Armed Services Procurement Act of

1947. The Armed Services Procurement Act has in turn been codified in title 10 it is believed. Since the authorities of the Armed Services Procurement Act which CIA may exercise is specified and thereby possibly limited, the question was raised (see 3(b) above) whether the new authority set forth in H. R. 15789 (now P. L. 90-378) would be available to this Agency. So far OLC has not received a complete response to this question.

SIGNED



Assistant Legislative Counsel

STATINTL

Distribution:

Orig - Subject

1 - Chrono

1 - Signer's

OLC/LLM:cap (19 August 1968)